

## LISTING OF CLAIMS

### In the claims:

Please amend the claims as follows:

1. (canceled)
2. (canceled)
3. (canceled)
4. (canceled)
5. (canceled)
6. (canceled)
7. (canceled)
8. (canceled)
9. (canceled)
10. (canceled)
11. (currently amended) A method for delivering an audio data file, comprising:  
receiving an audio data file into a local audio player unit, wherein:  
a first alphanumeric identifier identifies the local audio player unit, and  
a second alphanumeric identifier is appended to the audio data file and  
identifies an audio player unit;  
comparing the first alphanumeric identifier with the second alphanumeric  
identifier to determine whether they match;  
if the first alphanumeric identifier does match the second alphanumeric identifier,  
the method further comprises:  
producing an audio output from the audio data file,

else

if the first alphanumeric identifier does not match the second alphanumeric identifier, the method further comprises:

retrieving an advertising ~~commercial~~ message file and producing an advertising ~~commercial~~ message audio output from the advertising ~~commercial~~ message file, and

producing an audio output from the audio data file.

12. (previously presented) The method of claim 11, wherein the first alphanumeric identifier is retrieved from a non-volatile memory of the local audio player unit.

13. (currently amended) The method of claim 11, wherein the step of retrieving an advertising ~~commercial~~ message file comprises retrieving an advertising ~~commercial~~ message file from a storage device of the local audio player unit.

14. (currently amended) The method of claim 11, wherein the step of retrieving an advertising ~~commercial~~ message file comprises retrieving an advertising ~~commercial~~ message file from a non-volatile memory of the local audio player unit.

15. (currently amended) The method of claim 11, wherein the advertising ~~commercial~~ message file contains one or more ~~informational~~ messages.

16. (canceled)

17. (canceled)

18. (canceled)

19. (canceled)

20. (canceled)

21. (currently amended) The method of claim 11, wherein the audio data file and the advertising ~~commercial~~ message file are in a concatenated state.

22. (currently amended) The method of claim 11, wherein if the advertising ~~commercial~~ message file cannot be retrieved, then the step of producing an audio output is not carried out.

23. (currently amended) An audio player unit for delivering audio data files, comprising:

- a processor;

- a non-volatile memory communicatively coupled to the processor;

- a first alphanumeric identifier stored in the non-volatile memory, wherein the first alphanumeric identifier uniquely identifies the audio player unit;

- a communications port communicatively coupled to the processor and capable of communicatively coupling the audio player unit to a computer system;

- a data storage drive communicatively coupled to the processor and capable of transferring data between the audio player unit and a ~~removable~~ data storage medium;

- a first application program residing in the audio player unit and accessible by the processor, the application program comprising one or more sequences of instructions for uniquely marking an audio data file, the one or more sequences of instructions causing the processor to perform a number of acts, said acts comprising:

- receiving an audio data file,

- retrieving the first alphanumeric identifier from the non-volatile memory,

- appending the first alphanumeric identifier to the audio data file, and

- storing the appended audio data file in a ~~removable~~ data storage medium;

and

- a second application program residing in the audio player unit and accessible by the processor, the application program comprising one or more sequences of instructions for delivering an audio data file, the one or more sequences of instructions causing the processor to perform a number of acts, said acts comprising:

- receiving an audio data file with a second alphanumeric identifier,

- comparing the second alphanumeric identifier to the first alphanumeric identifier to determine whether they match,

if the second alphanumeric identifier does match the first alphanumeric identifier, then the acts further comprise producing an audio output from the audio data file,  
else

if the second alphanumeric identifier does not match the first alphanumeric identifier, then the acts further comprise retrieving an advertising commercial message file from the non-volatile memory and producing an advertising commercial message audio output from the advertising commercial message file, and producing an audio output from the audio data file.

24. (currently amended) An audio player unit for delivering audio data media files, comprising:

a first logic circuit configured to perform a number of acts, said acts comprising:

receiving an audio data file,

retrieving a first alphanumeric identifier that uniquely identifies the audio player unit,

appending a representation of the first alphanumeric identifier to the audio data file, and

storing the appended audio data file in a ~~removable~~ data storage medium;

a second logic circuit configured to perform a number of acts, said acts comprising:

receiving an audio data file with a second alphanumeric identifier,

comparing the second alphanumeric identifier to the first alphanumeric identifier to determine whether the second alphanumeric identifier is a representation of the first alphanumeric identifier,

if the second alphanumeric identifier is a representation of the first alphanumeric identifier, then the acts further comprise producing an audio output from the audio data file, else

if the second alphanumeric identifier is not a representation of the first alphanumeric identifier, then the acts further comprise retrieving an advertising

~~commercial~~ message file from the non-volatile memory and producing an advertising  
~~commercial~~ message audio output from the advertising ~~commercial~~ message file, and  
producing an audio output from the audio data file;

a non-volatile memory communicatively coupled to the logic circuits for storing  
the first alphanumeric identifier;

a communications port communicatively coupled to the logic circuits and capable  
of communicatively coupling the audio player unit to a computer system; and

a data storage drive communicatively coupled to the logic circuits and capable of  
transferring data between the audio player unit and a ~~removable~~ data storage medium.

25. (currently amended) The method of claim 11, wherein the alphanumeric  
identifier comprises a derivative of an electronic serial number of the audio player unit.

26. (currently amended) The method of claim 11, further comprising receiving an  
audio data identifier that uniquely identifies the audio data file.

27. (previously presented) The method of claim 26, wherein the audio data identifier  
is derived from an industry standard number encoded on the audio data file.